



Los Angeles County Office of Education

Leading Educators ■ Supporting Students ■ Serving Communities

Arturo Delgado, Ed.D.
Superintendent

December 14, 2012

Los Angeles County
Board of Education

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President

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Mr. Dean C. Logan
Los Angeles County Registrar-Recorder/County Clerk
Elections Office
12400 East Imperial Highway
Norwalk, CA 90650

Attn: Alex Olvera, Election Preparation

Dear Mr. Logan:

At the request of the South Pasadena Unified School District (USD), we hereby forward Resolution #2012-2013-11-A for a special parcel tax election to be held on March 12, 2013, in the South Pasadena USD. Pursuant to Elections Code §§1500, 4000 and 4108, South Pasadena USD will conduct the election via mail ballot on March 12, 2013.

Should you have questions regarding the above or require additional information, please contact me at (562) 922-6144.

Sincerely,

Keith D. Crafton, Assistant Director
Division of Business Advisory Services

KDC/AD:ah

Enclosures

cc: Joel Shapiro, South Pasadena USD
Scott Price, South Pasadena USD
Joy Tatarka, TBWB Strategies
Allison Deegan, Los Angeles County Office of Education

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

44

January 29, 2013

SACHI A. HAMAI
EXECUTIVE OFFICER

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REG-REC/2
ELECTIONS
COUNTY OF LOS AN

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LOS ANGELES COUNTY OFFICE OF EDUCATION
ORDER OF SPECIAL PARCEL TAX ELECTION
IN THE SOUTH PASADENA UNIFIED SCHOOL DISTRICT
OF LOS ANGELES COUNTY, CALIFORNIA

ON MARCH 12, 2013

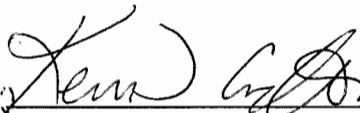
Pursuant to Section 1 of Article XIII A of the California Constitution, Education Code §§ 5320, 5322, 5325, 5342, and 5361, and Government Code §§ 50075, 50076, 50077, 50079, and 53722 *et seq.*, it is hereby ordered by the Los Angeles County Superintendent of Schools that an election be conducted within the boundaries of the South Pasadena Unified School District (USD). Pursuant to Elections Code §§ 1500, 4000 and 4108, the election shall be conducted by mail ballot on March 12, 2013.

The subject election will be conducted for the purpose of authorizing the levy of a qualified special tax of \$386 annually on any parcel of land within the South Pasadena USD. This special parcel tax shall be levied in each fiscal year for not more than five (5) years. There is an exemption to this special tax for senior citizens and disabled persons.

The proceeds of the special parcel tax shall be authorized to be used to fund (a) continue to maintain high-quality academic programs and to retain teachers, counselors and essential support staff; (b) maintain manageable class sizes at all grade levels; (c) continue to fund District library and media programs; (d) continue to fund District visual and performing arts programs, counseling programs, and advanced instruction in core academic areas, including math, science and technology; (e) prevent or reduce numerous staff lay-offs, including teachers, counselors, and support staff; and (f) keep classroom technology and instructional materials up-to-date.

The Los Angeles County Registrar-Recorder/County Clerk (Registrar-Recorder) will perform all the duties incident to the preparation for and holding of the above-mentioned election. The South Pasadena USD will pay the costs of the election. If any agency holds an election on March 12, 2013, and consolidation is approved, the South Pasadena USD shall pay its pro rata share of the costs. The Registrar-Recorder will canvass the returns of the election. All matters pertaining to the conduct of this election shall be under the provisions of the appropriate sections of the Education and Election Codes.

ARTURO DELGADO, Ed.D.
Los Angeles County Superintendent of Schools



Keith D. Crafton, Assistant Director
Regionalized Business Services
Division of Business Advisory Services

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December 14, 2012

SOUTH PASADENA UNIFIED SCHOOL DISTRICT**RESOLUTION NO. 2012-2013-11-A****RESOLUTION OF THE GOVERNING BOARD OF THE
SOUTH PASADENA UNIFIED SCHOOL DISTRICT CALLING AN ELECTION,
ESTABLISHING SPECIFICATIONS OF THE ELECTION ORDER, AND
REQUESTING CONSOLIDATION WITH OTHER ELECTIONS
OCCURRING ON MARCH 12, 2013**

WHEREAS, the South Pasadena Unified School District ("District") is committed to offering a high-quality educational program to all students within the District and securing adequate funding to meet that purpose; and

WHEREAS, an increase in revenues is necessary to retain essential student-focused educational programs; and

WHEREAS, an adequately funded and well-developed public education program provides numerous benefits and advantages to all of the residents of the community; and

WHEREAS, current South Pasadena Unified School District Parcel Tax Measure S is set to expire on June 30, 2013 and, because of persistent and severe California State funding shortfalls, the District continues to rely on the funding from these parcel tax measures for the current educational program serving District students; and

WHEREAS, the District wishes to renew current Parcel Tax Measure S with a new parcel tax measure, whose purpose is to continue to provide adequate funding to the District, and

WHEREAS, Section 4 of Article XIII A and Section 2 of Article XIII C of the California Constitution and sections 50075, 50076, 50077, 50079 and 53722 *et seq.* of the California Government Code authorize a school district, upon approval of two-thirds (2/3) of the electorate voting on the measure, to levy a qualified special tax for specified purposes following notice and a public hearing; and

WHEREAS, in the judgment of this Governing Board ("Board"), following public hearing and comment, it is advisable to request that the County of Los Angeles Registrar-Recorder/County Clerk ("County Registrar") call an election by means of an all-mailed ballot election and submit to the voters of the District the question of whether the District shall levy a special tax within the District for the purpose of raising additional revenue for the District; and

WHEREAS, pursuant to Education Code section 5342 and Elections Code sections 10400, 10402 and 10403 such election may be completely or partially consolidated with any other election held on the same day and in the same territory or portion of territory that is the same; and

WHEREAS, pursuant to Elections Code Section 4108, a school district may, by resolution of its Governing Board, conduct any election by all-mailed ballots in accordance with the laws governing all-mailed ballot elections.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Resolution Constitutes Order of Election. This resolution shall constitute an order of election pursuant to Education Code section 5320 *et seq.*

2. Date and Purpose of Measure. Pursuant to Section 4 of Article XIII A of the California Constitution and Government Code section 50077, an all-mailed ballot special election shall be held within the boundaries of the District on March 12, 2013 for the purpose of voting on a measure ("Measure") which will be presented to voters in substantially the form attached hereto as Exhibit A, containing the question of whether the District shall impose a special tax for the educational purposes stated therein. In addition, the full text of the Measure ("Full Ballot Text") shall appear in the ballot pamphlet in substantially the form attached hereto as Exhibit B, or, in the alternative, the ballot pamphlet shall contain information as to how voters may obtain a copy of the full text of the Measure, as provided for in paragraph 11 of this Resolution.

3. Amount of Tax. The qualified special tax shall be in the amounts and manner set forth in Exhibit B attached hereto.

4. Senior Exemption From Special Tax. An exemption from payment of the special tax may be granted on any parcel owned by one or more persons 65 years of age or over who occupies parcel as a principal residence, upon application for exemption ("Senior Citizen Exemption"). Applications for such exemptions must be made and delivered to the District during the period from May 15 through June 15 (or the next regular business day thereafter) of each year the parcel tax is levied in accordance with the process established by the District and as described in the attached Ballot Measure (Exhibit B hereto). The District shall annually provide to the County Treasurer-Tax Collector or other appropriate County tax official a list of parcels that the District has approved for a Senior Citizen Exemption.

5. Supplemental Security Income (SSI) Recipient Exemption From Special Tax. An exemption from payment of the special tax may be granted on any single family parcel owned by one or more persons receiving Supplemental Security Income ("SSI") for disability, regardless of age, who occupies the parcel as a principal residence, upon application for exemption ("SSI Recipient Exemption"). Applications for such exemptions must be made and delivered to the District during the period from May 15 through June 15 (or the next regular business day thereafter) of each year the parcel tax is levied in accordance with the process established by the District and as described in the attached Ballot Measure (Exhibit B hereto). The District shall annually provide to the County Treasurer-Tax Collector or other appropriate County tax official a list of parcels that the District has approved for an SSI Recipient Exemption.

6. Collection of the Tax. The special tax shall be collected by the County Tax Collector of the County of Los Angeles ("County Tax Collector"), as applicable based on parcel location,

at the same time, in the same manner, and subject to the same penalties as *ad valorem* property taxes collected by the County Tax Collector. Unpaid special taxes shall bear interest at the same rate as the rate for unpaid *ad valorem* property taxes until paid.

The special tax shall be levied on all parcels of taxable real property in the District. The District shall hold a public hearing concerning imposition of the tax each year during which the tax is in effect. "Parcel of Taxable Real Property" shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector's Office. All property that is otherwise exempt from or upon which *ad valorem* property taxes are not levied in any year shall also be exempt from the special tax in such year. With respect to all general property tax matters within its jurisdiction, the County Tax Collector shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including the classification of property for purposes of calculating the tax, the decisions of a District administrative review panel shall be final and binding.

7. Authority for Ordering Election. The authority for ordering the election is contained in section 50075 *et seq.* of the Government Code and Section 4 of Article XIII A of the California Constitution.

8. Authority for Specifications. The authority for the specification of this election order is contained in section 5322 of the Education Code.

9. Resolution to County Registrar and County Board. The Clerk of the Governing Board is hereby directed to immediately send a copy of this Resolution to the County Registrar, as the officer conducting the election, the Los Angeles County Superintendent of Schools ("County Superintendent"), and to the Los Angeles County Clerk of the Board of Supervisors ("County Board"). The Board requests that the County Superintendents deliver a copy of all published notices to the Clerk of this Board.

10. Formal Notice. The County Superintendent is hereby requested to prepare and execute a formal Notice of Parcel Tax Election and Consolidation ("Notice") and to call the election by causing the Notice to be posted in accordance with section 5362 of the Education Code no later than December 14 2012, or otherwise cause the Notice to be published as permitted by law.

11. Conduct of Election.

(a) *Request to County Registrar.* Pursuant to section 5303 of the Education Code, the County Registrar is requested to take all steps to hold the election in accordance with law and these specifications. The Board requests that the Registrar of Voters deliver a copy of all published notices to the Clerk of this Board pursuant to section 12113 of the Elections Code.

(b) The election shall be conducted by means of an all-mailed ballot election pursuant to Elections Code section 4108 and related statutes, except that the election may be

consolidated with another election as specified below, if such consolidation is feasible and appropriate.

(c) *Voter Pamphlet.* The County Registrar is hereby requested to reprint the Full Ballot Text in substantially the form attached hereto as Exhibit B in the voter information pamphlet to be distributed to voters pursuant to section 13307 of the Elections Code. In the event the Full Ballot Text will not be reprinted in the voter information pamphlet in its entirety, the County Registrar is hereby requested to print, immediately below the impartial analysis of the Measure, in no less than 10-point boldface type, a legend substantially as follows:

The above statement is an impartial analysis of Measure S. If you desire a copy of the Measure S, please call the County of Los Angeles Registrar-Recorder/County Clerk at (562) 466-1310, and a copy will be mailed at no cost to you. The full text of the Measure may also be viewed online at www.lavote.net.

(d) *Consolidation.* Pursuant to Education Code section 5342 and Elections Code section 10402.5, the County Registrar and the County Board are hereby requested to consolidate the election ordered hereby with any and all other elections to be held on March 12, 2013, within the District, if such consolidation is feasible and appropriate with respect to an all-mailed ballot election and would result in cost-savings to the District.

(e) *Cost of Election.* The District agrees to reimburse the County of Los Angeles for the cost of such election.

(f) *Canvass of Results.* The County Board is authorized to canvass the returns of the election pursuant to section 10411 of the Elections Code.

12. Appropriations Limit. The Board shall provide in each year for an increase in the District's appropriations limit as shall be necessary to ensure that the proceeds of the special tax may be spent for its authorized purposes.

13. Full Ballot Text. The Board hereby determines to include within the ballot pamphlet the Full Ballot Text in substantially the form attached hereto as Exhibit B, which is hereby approved and adopted by the Board, and the County Registrar is hereby directed to include the Full Ballot Text in the ballot pamphlet.

14. Ballot Arguments. The President of the Board and/or his designees are hereby authorized to prepare and file with the County Registrar any ballot argument prepared in connection with the election, including a rebuttal argument, each within the time established by the County Registrar, which shall be considered the official ballot arguments of the Governing Board as sponsor of the Measure.

15. Official Actions. The District Superintendent, President of the Board, or their designees, are hereby authorized and directed to execute any other document and to perform all acts necessary to place the Measure on the ballot, including making any changes to the text of the

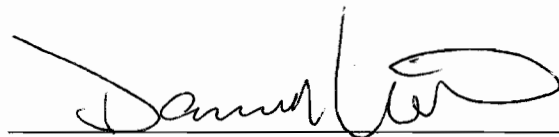
measure described in this Resolution, or to the abbreviated form of the measure, or to the text of this Resolution, as may be convenient or necessary to comply with the intent of this Resolution, the requirements of elections officials, and requirements of law.

16. Accountability Measures. The members of the Board, the Superintendent of the District, and officers of the District are hereby requested and directed, individually and collectively, to provide accountability measures pursuant to Government Code section 50075.1 that include, but are not limited to, all of the following: (a) A statement indicating the specific purposes of the qualified special tax, (b) a requirement that the proceeds be applied only to the specific purposes identified pursuant to subsection (a), (c) the creation of an account into which the proceeds shall be deposited, and (d) an annual report pursuant to section 50075.3 of the Government Code, as provided in Section 17 below.

17. Annual Report. Pursuant to section 50075.3 of the Government Code, the Board directs that the chief fiscal officer of the District file a report with the Board no later than January 1, 2014, and at least once a year thereafter. The annual report shall contain both of the following: (a) The amount of funds collected and expended, and (b) the status of any project required or authorized to be funded by the special tax.

ADOPTED, SIGNED and APPROVED by the Governing Board of the South Pasadena Unified School District on December 14, 2012, by the following vote:

AYES:	<u>5</u>
NOES:	<u>0</u>
ABSTENTIONS:	<u>0</u>
ABSENT:	<u>0</u>



President of the Governing Board of the
South Pasadena Unified School District

COUNTY OF LOS ANGELES
REG. - 11/13/12

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STATE OF CALIFORNIA)
)
LOS ANGELES COUNTY)

I, Joel Shapiro, do hereby certify that the foregoing is a true and correct copy of Resolution No. 2012-2013-1-A, which was duly adopted by the Board of Education of the South Pasadena Unified School District at meeting thereof held on December 14, 2012, and that it was so adopted by the following vote:

AYES: 5
NOES: 0
ABSTENTIONS: 0
ABSENT: 0

By Joel Shapiro
Secretary of the Board of Education

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COUNTY OF LOS ANGELES
REGISTRATION
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EXHIBIT A

ABBREVIATED TEXT OF MEASURE

To prepare students for success in college/careers and minimize local impacts of state school funding cuts; continue local funding to attract/retain highly qualified teachers; maintain manageable class sizes, advanced instruction in math/science/technology, and music/art programs; shall South Pasadena Unified School District renew/increase its expiring annual school parcel tax by \$98 (as described in the ballot pamphlet) for five years, with senior exemptions and all funds staying local?

COUNTY OF LOS ANGELES
REG. - REG. CLERK
ELECTIONS

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EXHIBIT B

FULL BALLOT TEXT

The full text of the ballot measure shall read as follows:

To prepare students for success in college/careers and minimize local impacts of state school funding cuts; continue local funding to attract/retain highly qualified teachers; maintain manageable class sizes, advanced instruction in math/science/technology, and music/art programs; shall South Pasadena Unified School District renew/increase its expiring annual school parcel tax for five years at \$386 for all parcels, with an exemption for seniors and disabled persons; independent Citizens' Oversight Committee; no funds for administrator salaries; and every dollar staying in South Pasadena schools?

Thanks to outstanding academic programs, highly qualified teachers and a community that values education, our schools in the South Pasadena Unified School District ("SPUSD") are a source of community pride. South Pasadena schools rank in the top 5% of all school districts in California and student test scores are well above the California standard for excellence. Over 90% of students who graduate from South Pasadena schools go on to college or other post-secondary training.

Due to state budget cuts, reduced federal funding and a down economy, South Pasadena schools are struggling to sustain the quality of our educational programs while contending with an approximate \$3 million budget deficit. SPUSD has made numerous budget reductions, including some lay-offs of teachers and counselors, since 2008. The Measure S parcel tax, passed by the voters of South Pasadena in 2009, has enabled the District to avoid extensive lay-offs and to maintain academic programs that keep our schools strong. Measure S will expire in June 2013, and the District's outstanding programs are endangered by the loss of about \$2 million in annual revenue provided by Measure S. With the loss of Measure S funds, the District's budget deficit will grow to almost \$5 million per year.

Great teachers are essential to excellent education. Stable local funding will help our South Pasadena neighborhood schools retain experienced and well-trained teachers, ensuring our students receive the quality education they need to get into top colleges and compete for jobs in today's tough economy.

To protect high-performing South Pasadena schools, the SPUSD Board of Education (the "Board of Education") has proposed that our community vote to maintain a stable funding source that cannot be taken away by Sacramento by renewing/increasing the expiring parcel tax. Stable funding that remains in South Pasadena will protect quality educational programs.

The purpose of the measure is to preserve and continue high-quality education in the South Pasadena Unified School District and to fund the following specific programs and services:

- a) Continue to maintain high-quality academic programs and to retain teachers, counselors, and essential support staff;

- b) Maintain manageable class sizes at all grade levels;
- c) Continue to fund District library and media programs;
- d) Continue to fund District Visual and Performing Arts programs, counseling programs, and advanced instruction in core academic areas, including math, science and technology;
- e) Prevent or reduce numerous staff lay-offs, including teachers, counselors, and support staff
- f) Keep classroom technology and instructional materials up-to-date

Basis of Tax

The tax shall be levied on all Parcels of Taxable Real Property in the District, as defined below, on the following basis:

<u>Type of Parcel</u>	<u>Rate of Annual Tax</u>
All Parcels	Not to exceed <u>Three Hundred Eighty-Six Dollars (\$386.00)</u> per parcel

Whereas the previous tax differentiated between single dwellings and multi-unit dwellings, “all parcels” hereby include single dwelling, multi-unit dwellings, and commercial parcels at the same rate of three hundred eight-six dollars (\$386.00).

“Parcel of Taxable Real Property” shall be defined as any unit of real property in the District that receives a separate tax bill for *ad valorem* property taxes from the County Tax Collector’s Office, as applicable depending on parcel location. All property that is otherwise exempt from or upon which *ad valorem* property taxes are not levied in any year shall also be exempt from the special tax in such year. The tax itself shall not be levied on parcels on an *ad valorem* basis.

If more than one adjacent Assessor parcel constitutes a single parcel under the Subdivision Map Act (California Government Code section 66410 *et seq.*), then the parcel will be treated as a single Parcel of Taxable Real Property for purposes of the amount of tax due, and a claim for refund may be made by the property owner pursuant to the claim procedures outline below.

An exemption may be granted on any single parcel owned by one or more persons aged 65 years or older, or one or more persons receiving Supplemental Security Income for disability, regardless of age, who occupies the parcel as a principal residence, upon application for exemption. Applications for such exemptions must be made during the period from May 15 through June 15 in the first year the tax is levied (2013), and during the period from May 15 through June 15 (or the next regular business day thereafter) of each of the following years the parcel tax is levied and in accordance with procedures established by the South Pasadena Unified School District Board of Education, or its designee. Individuals who qualify for a senior exemption or disability exemption in any year will maintain that exemption and will not be required to submit an application during the duration of the parcel tax.

Claim Procedures

With respect to all general property tax issues and billing matters within its jurisdiction, the Los Angeles County Tax Assessor or other appropriate County tax official shall make all final determinations of tax exemption or relief for any reason, and that decision shall be final and binding. With respect to matters specific to the levy of the special tax, including determination of Senior Citizen Exemption or Disability Exemption, however, the decisions of the District shall be final and binding. In the latter case, a claim for a refund of the special tax shall comply with the following and any additional procedures as established by the Board:

(a) All claims shall be filed with the Superintendent of the District no later than one year after the date the tax was paid. The claimant shall file the claim within this time period and the claim shall be finally acted upon the Board as a prerequisite to bringing suit thereon.

(b) Pursuant to Government Code section 935 (b) the claim shall be subject to the provisions of Government Code sections 945.6 and 946.

(c) The Board shall act on a timely claim within the time period required by Government Code section 912.4.

(d) The procedure described herein, and any additional procedures established by the Board, shall be the exclusive claims procedure for claimants seeking a refund, reduction, or re-computation of the special tax. Whether any particular claim is to be resolved by the District or by the County shall be determined by the District, in coordination with the County, as necessary.

Appropriations Limit

Pursuant to California Constitution article XIIB and applicable laws, the appropriations limit for the District will be adjusted periodically by the aggregate sum collected by levy of this special tax.

Accountability Measures

The proceeds of the special tax shall be applied only to the specific purposes identified above. The proceeds of the special tax shall be deposited into a fund, which shall be kept separate and apart from other funds of the District. No later than December 31 of each year while the tax is in effect, the District shall prepare and file with the Board a report detailing the amount of funds collected and expended, and the status of any project authorized to be funded by this measure.

In addition, an independent Citizens' Oversight Committee shall be appointed by the Board of Education to ensure that the special tax proceeds collected pursuant to this measure are spent for their authorized purposes, and to report annually to the Board of Education and the public regarding the expenditure of such funds.

Annual Plan.

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An expenditure plan (the "Proposed Annual Plan") shall be developed annually, commencing in February 2014, for the succeeding fiscal year by the District staff in consultation with the independent Citizens' Oversight Committee. The Proposed Annual Plan will recommend expenditures of the tax proceeds that are consistent with the intent of the Funding Measure. The assumptions associated with the recommended expenditures shall be included in the Proposed Annual Plan. The Proposed Annual Plan shall be presented for Board action each fiscal year in conjunction with the District's annual budget adoption process for the subsequent fiscal year. To facilitate public discussion, the Proposed Annual Plan shall be made available for public review.

Severability

The Board hereby declares, and the voters by approving this measure concur, that every section and part of this measure has independent value, and the Board and the voters would have adopted each provision hereof regardless of every other provision hereof. Upon approval of this measure by the voters, should any part of the measure or taxing formula be found by a court of competent jurisdiction to be invalid for any reason, all remaining parts of the measure or taxing formula hereof shall remain in full force and effect to the fullest extent allowed by law.

Protection of Funding

Current law forbids any decrease in State or Federal funding to the District because of the District's adoption of a parcel tax. However, if any such funds are reduced because of the adoption of this parcel tax, then the amount of the special taxes will be reduced annually as necessary in order to restore such State or Federal funding.

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COUNTY OF LOS ANGELES
REG-REGISTRATION
ELECTION DIVISION

EXHIBIT C

FORMAL NOTICE OF PARCEL TAX ELECTION

NOTICE IS HEREBY GIVEN to the qualified electors of the South Pasadena Unified School District of Los Angeles County, California, that in accordance with the provisions of the Education Code and the Government Code of the State of California, an all-mailed ballot election will be held on March 12, 2013 for the purpose of submitting to the qualified electors of the District the proposition summarized as follows:

To prepare students for success in college/careers and minimize local impacts of state school funding cuts; continue local funding to attract/retain highly qualified teachers; maintain manageable class sizes, advanced instruction in math/science/technology, and music/art programs; shall South Pasadena Unified School District renew/increase its expiring annual school parcel tax by \$98 (as described in the ballot pamphlet) for five years, with senior exemptions and all funds staying local?

By execution of this formal Notice of Election the County Superintendent of Schools of Los Angeles County orders consolidation of the election with such other elections as may be held on the same day in the same territory or in territory that is in part the same.

The County Superintendent of Schools of Los Angeles County, by this Notice of Election, has called the election pursuant to a Resolution and Order of the Board of Education of the South Pasadena Unified School District adopted on December 14, 2012 in accordance with the provisions of Education Code sections 5302, 5325 and 5361.

IN WITNESS WHEREOF, I have hereunto set my hand this day, _____, 2012.

/s/ _____
County Superintendent of Schools
Los Angeles County, California

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12 DEC 14 P2:00
COUNTY CLERK
REG. - REG. / CLERK
ELECTION DIV.